

STAFF REPORT
CITY OF COTTAGE GROVE; DCTA 1-25
DEVELOPMENT CODE TEXT AMENDMENT
ADJUSTMENTS
February 12, 2025

PROPOSAL DESCRIPTION

Date application filed: February 4, 2025

Applicant: City of Cottage Grove
400 E. Main Street
Cottage Grove, OR 97424

Location: City-wide.

Comprehensive Plan
Designation: N/A

Zoning: N/A

Proposal: The City of Cottage Grove has made this application for Development Code Text Amendment in an effort to address recent state legislative changes, allowing Adjustments to housing developments. The following Chapters and Sections of Title 14 of the Cottage Grove Municipal Code are proposed to be amended by this application: Chapter 14.36, Section 14.36.100, Table 14.41.100 in Chapter 14.41, and Section 14.41.300 in Chapter 14.41.

COMMENTS RECEIVED

None.

APPROVAL CRITERIA AND FINDINGS; DTCA 1-25

14.4.1.500.H Decision-Making Criteria. *The recommendation by the Planning Commission and the decision by the City Council shall be based on the following factors:*

- 1. Approval of the request is consistent with the Statewide Planning Goals;*

Staff response and findings of fact:

This request is consistent with the Statewide Planning Goals. As this application does not modify or change the substance or meaning of the adopted Development Code, the only Statewide Planning Goals that are directly impacted by this request are Goal 1 - Citizen Involvement, Goal 2 - Land Use Planning, and Goal 10 - Housing.

This amendment is consistent with Goal 1. Adequate public notice of the proposed change has been provided through the Type IV public notice process as specified in Section 14.41.500 of

the Development Code. The Department of Land Conservation and Development was notified of the intended modification on February 12, 2025 and did not express any concerns in writing about the change at the time of publication. Public hearings have been held at the Planning Commission on March 19, 2025 and City Council on April 28, 2025. The City process involves various forms of notification of the public in the immediate area, notification in local media, and notification of impacted governmental agencies and recognized neighborhood groups.

This proposed amendment is consistent with Goal 2, as Goal 2 requires that local comprehensive plans and regulations be consistent with the Goals, be internally consistent, and that implementing ordinances be consistent with acknowledged comprehensive plans.

This proposed amendment is consistent with Goal 10, as it implements the requirements of Oregon Senate Bill 1537, which requires cities to allow adjustments to housing developments that may not have been feasible due to cost or delay, resulting from the unadjusted land use regulations and requirements.

The other goals, 3-9, and 11-19 are not applicable.

This criterion is met.

2. *Approval of the request is consistent with the Comprehensive Plan; and*

Staff response and findings of fact:

This request is consistent with the Comprehensive Plan, as modifications to the Comprehensive Plan and its adopted implementing documents are expected over time as Code Amendments are adopted.

This criterion is met.

3. *The property and affected area is presently provided with adequate public facilities, services and transportation networks to support the use, or such facilities, services and transportation networks are planned to be provided concurrently with the development of the property.*

Staff response and findings of fact:

No modifications to public facilities, services or transportation networks are proposed or required at this time to facilitate this Code Amendment. Individual developments will have to address public facility provision and transportation network capacity as part of each application.

This criterion is met.

CONCLUSION

Ordinance amendment approval pursuant to Sections 14.41.500.H Decision-Making Criteria is supported by the findings of fact that establish compliance with the applicable state and local standards.

STAFF RECOMMENDATION

Approval of DCTA 1-25 to modify Title 14 Development Code regulations by adding Section 14.36.100 regarding adjustments to housing standards to comply with the latest ORS's and SB 1537, modify Table 14.41.100 and Table 14.41.110 to add Adjustments as an Approval Type, and add the type of approval to Section 14.41.300.A Type II Procedure (Administrative) Types of Approvals, which is supported by findings of facts.

CONDITIONS OF APPROVAL

None.

MATERIALS TO BE PART OF THE RECORD

File DCTA 1-25

EXHIBITS

- A. DRAFT CODE AMENDMENTS – Chapter 14.36 - Section 14.36.100, Table 14.41.100, Table 14.41.110, and Section 14.41.300.A.

EXHIBIT A:

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 14 DEVELOPMENT CODE
HOUSING ADJUSTMENT AMENDMENTS

WHEREAS, the City of Cottage Grove has adopted Title 14 Development Code of the Cottage Grove Municipal Code to implement the Cottage Grove Comprehensive Plan; and

WHEREAS, the Development Code contains standards and requirements for housing in Cottage Grove; and

WHEREAS, the State of Oregon passed statewide legislation – Oregon Senate Bill 1537 (SB 1537) to encourage further housing development that otherwise would not have been feasible due to cost or constraints due to land use code; and

WHEREAS, the Development Code does not currently allow for housing adjustments as required in SB 1537; and

WHEREAS, SB 1537 went into effect January 1, 2025, which requires cities to allow up to ten specific adjustments when housing is proposed; and

THEREFORE, the City of Cottage Grove deems it appropriate to change the Title 14 Development Code regulations regarding housing adjustments to comply with SB 1537 and ORS 197A.

THE CITY OF COTTAGE GROVE ORDAINS AS FOLLOWS:

Section 1. Purpose. The purpose of this ordinance is to amend Title 14 Cottage Grove Development Code to allow adjustments as required by SB 1537.

Section 2. Procedural Compliance. This amendment is in compliance with 14.41.500 of the Municipal Code of the City of Cottage Grove and is based upon the City Council determination, after a Planning Commission public hearing and recommendation, that this amendment is a proper implementation of the City’s comprehensive land use plan and, therefore, is in the public interest and for the health, safety and welfare of the residents of the City of Cottage Grove.

Section 3. Findings. The City Council hereby adopts the above findings of fact and those set forth in Exhibit A, attached to and forming part of this ordinance.

Section 4. Amendment. Table 14.41.100, “Summary of Approvals by Type of Application Type”, is hereby replaced with the following:

**Table 14.41.100
Summary of Approvals by Type of Application Type**

Approvals	Review Procedures	Applicable Regulations
Access Permit (public street)	Type I	Chapters 14.31, 14.42, 14.43; Engineering Standards
Adjustment	Type II	Chapter 14.36
Building Permit	N/A	Building Code
Code Interpretation	Type II	Chapter 14.48
Code Amendment	Type IV	Chapter 14.47
Comprehensive Plan Amendment	Type IV	Comprehensive Plan
Conditional Use Permit	Type III	Chapter 14.44
Cottage Industry (exceeding the criteria in Section 14.22.200)	Type III	Chapter 14.49
Erosion Prevention Permit	Type I	Chapter 14.35
Flood Plain Development Permit	Type I	Chapter 14.37
Greenway Conditional Use Permit	Type III	Chapter 14.37
Hillside Development Permit	Type I or II	Chapter 14.37
Historic Alteration Permit	Type II or III	Chapter 14.25
Home Occupation (meeting the criteria in Section 14.22.200)	Type I	Chapter 14.22
Master Planned Development	Type III	Chapter 14.45
Modification to Approval	Type II/III (minor or major)	Chapter 14.46
Land Use District Map Change		
Quasi-Judicial (no plan amendment required)	Type III	Chapter 14.47
Legislative (plan amendment)	Type IV	Chapter 14.47
Property Line Adjustments and Lot Consolidations	Type II	Chapter 14.43

Table 14.41.100 Summary of Approvals by Type of Application Type		
Approvals	Review Procedures	Applicable Regulations
Nonconforming Use or Development Confirmation	Type II	Chapter 14.52
Partition	Type II	Chapter 14.43
Sensitive Lands Development	Type III	Chapter 14.37
Sign Permit	Type I or II	Chapter 14.38
Land Use Review	Type I or II	Chapter 14.42
Site Design Review	Type III	Chapter 14.42
Subdivision Preliminary Plan Final Plat	Type III Type I	Chapter 14.43
Temporary Use Permit	Type I/II	Chapter 14.49
Variance		
Class A	Type I	Chapter 14.51
Class B	Type II	Chapter 14.51
Class C	Type III	Chapter 14.51

Section 5. Amendment. Table 14.41.110, “Summary of Approvals by Type of Review Procedure”, is hereby replaced with the following:

Table 14.41.110: Summary of Approvals by Type of Review Procedure

Review Procedures	Approvals	Applicable Regulations
Type I	Access Permit	Chapter 14.31, 14.42, 14.43
	Code Interpretation	Chapter 14.48
	Flood Plain Development Permit	Chapter 14.37
	Hillside Development Permit (Level 1)	Chapter 14.37
	Home Occupation	Section 14.22.200
	Land Use Review	Chapter 14.42
	Property Line Adjustments and Lot Consolidations	Chapter 14.43
	Sign Permit	Chapter 14.38

Review Procedures	Approvals	Applicable Regulations
	Seasonal or Special Event Temporary Use	Chapter 14.49
	Variance Class A	Chapter 14.51
	Subdivision (Final Plat)	Chapter 14.43
	Erosion Prevention	Chapter 14.35
Type II	Adjustments	Chapter 14.36
	Code Interpretation	Chapter 14.48
	Hillside Development Permit (Level 2 and 3)	Chapter 14.37
	Historic Alteration Permit (minor)	Chapter 14.25, 14.36
	Land Use Review	Chapter 14.42
	Modification to Approval (minor)	Chapter 14.46
	Nonconforming Use or Development Confirmation	Chapter 14.52
	Partition	Chapter 14.43
	Sign Permit (Historic District)	Chapter 14.38
	Temporary Use Permit	Chapter 14.49
	Variance Class B	Chapter 14.51
Type III	Conditional Use Permit	Chapter 14.44
	Cottage Industry (exceeding Sec. 14.22.200)	Chapter 14.52
	Greenway Conditional Use Permit	Chapter 14.37
	Historic Alteration (major)	Chapter 14.25, 14.46
	Land Use District Map Change (no plan amendment required)	Chapter 14.43
	Master Planned Development	Chapter 14.45
	Modification to Approval (major)	Chapter 14.46
	Sensitive Lands Development	Chapter 14.37
	Site Design Review	Chapter 14.42
	Subdivision (Preliminary Plan)	Chapter 14.42
	Temporary Use Permit	Chapter 14.49

Review Procedures	Approvals	Applicable Regulations
	Variance Class C	Chapter 14.51
Type IV	Comprehensive Plan Amendment	Comprehensive Plan
	Code Amendment	Chapter 14.47
	Land Use District Map Change	Chapter 14.47

Section 5. Amendment. Section 14.41.300, “Type II Procedure (Administrative)”, is hereby replaced with the following:

14.41.300 Type II Procedure (Administrative)

A. Types of Approvals. The following types of approvals are reviewed under a Type II procedure:

- **Adjustments**
- Code Interpretations
- Modification to Approvals
- Partitions
- Historic Alteration Permits
- Non-conforming use or development Determination
- Property Line Adjustments
- Sensitive Lands Development
- Sign Permits (Historic District)
- Temporary Use Permits
- Variances (Class B)

B. Pre-application Conference. A pre-application conference is available for Type II reviews. Pre-application conference requirements and procedures are in Section 14.41.600.

C. Application Requirements.

1. Application Forms. Type II applications shall be made on forms provided by the Community Development Director or designee.
2. Submittal Information. The application shall:
 - a. Include the information requested on the application form;

- b. Be filed with one copy of a narrative statement that explains how the application satisfies each and all of the relevant criteria and standards in sufficient detail for review and decision-making. Note: additional information may be required under the specific application requirements for each approval, e.g., Chapters 14.42 (Land Use Review), 14.43 (Land Divisions), 14.46 (Modifications), 14.48 (Code Interpretations), 14.49 (Miscellaneous Permits), and 14.52 (Non-Conforming Uses and Development); and
- c. Be accompanied by the required fee.

D. Notice of Application for Type II Administrative Decision.

1. Before making a Type II Administrative Decision, the Community Development Director or designee shall mail notice to:

- a. All owners of record of real property within a minimum of 100 feet of the subject site;
- b. All City recognized neighborhood groups or associations whose boundaries include the site;
- c. Any person who submits a written request to receive a notice; and
- d. Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the City. The City may notify other affected agencies. The City shall notify the road authority, and rail authority and owner, when there is a proposed development abutting or affecting their transportation facility and allow the agency to review, comment on, and suggest conditions of approval for the application.

2. The purpose of the notice is to give nearby property owners and other interested people the opportunity to submit written comments about the application before the Type II decision is made. The goal of this notice is to invite people to participate early in the decision-making process.

3. Notice of a pending Type II Administrative Decision shall:

- a. Provide a 14-day period for submitting written comments before a decision is made on the permit;
- b. List the relevant approval criteria by name and number of code sections;
- c. State the place, date and time the comments are due, and the person to whom the comments should be addressed;
- d. Include the name and telephone number of a contact person regarding the Administrative Decision;
- e. Describe proposal and identify the specific permits or approvals requested;
- f. Describe the street address or other easily understandable reference to the location of the site;

- g. State that if any person fails to address the relevant approval criteria with enough detail, they may not be able to appeal to the Land Use Board of Appeals or Circuit Court on that issue. Only comments on the relevant approval criteria are considered relevant evidence;
- h. State that all evidence relied upon by the Community Development Director or designee to make this decision is in the public record, available for public review. Copies of this evidence can be obtained at a reasonable cost from the City;
- i. State that after the comment period closes, the Community Development Director or designee shall issue a Type II Administrative Decision, and that the decision shall be mailed to the applicant and to anyone else who submitted written comments or who is otherwise legally entitled to notice;
- j. Contain the following notice: “Notice to mortgagee, lien holder, vendor, or seller: The City of Cottage Grove Development Code requires that if you receive this notice it shall be promptly forwarded to the purchaser.”

E. Administrative Decision Requirements. The Community Development Director or designee shall make a Type II written decision addressing all of the relevant approval criteria and standards. Based upon the criteria and standards, and the facts contained within the record, the Community Development Director or designee shall approve, approve with conditions, or deny the requested permit or action. Alternatively, the Community Development Director or the applicant may refer or request to refer the application to the Planning Commission for review in a public hearing, in which case the review shall follow the Type III procedures in Section 14.41.400. A fee shall be charged for this Type III application.

F. Notice of Decision.

1. Within five days after the Community Development Director or designee signs the decision, a Notice of Decision shall be sent by mail to:
 - a. The applicant and all owners or contract purchasers of record of the site that is the subject of the application;
 - b. Any person who submits a written request to receive notice, or provides comments during the application-review period;
 - c. Any City-recognized neighborhood group or association whose boundaries include the site; and
 - d. Any governmental agency that is entitled to notice under an intergovernmental agreement entered into with the City, and other agencies that were notified or provided comments during the application review period.
2. The Community Development Director or designee shall cause an affidavit of mailing the notice to be prepared and made a part of the file. The affidavit shall show the date the notice was mailed and shall demonstrate that the notice was mailed to the parties above and was mailed within the time required by law.

3. The Type II Notice of Decision shall contain:
 - a. A description of the applicant's proposal and the City's decision on the proposal (i.e., may be a summary);
 - b. The address or other geographic description of the property proposed for development, where applicable;
 - c. A statement of where the City's decision can be obtained;
 - d. The date the decision shall become final, unless appealed;
 - e. A statement that all persons entitled to notice may appeal the decision; and
 - f. A statement briefly explaining how to file an appeal, the deadline for filing an appeal, and where to obtain further information concerning the appeal process.

G. Final Decision and Effective Date. A Type II administrative decision is final for purposes of appeal when mailed by the City. A Type II administrative decision is effective on the day after the appeal period expires. If an appeal is filed, the decision is effective when the appeal is decided.

H. Appeal. A Type II administrative decision may be appealed to the Planning Commission as follows:

1. Who may appeal. The following people have legal standing to appeal a Type II Administrative Decision:
 - a. The applicant or owner of the subject property;
 - b. Any person who was entitled to written notice of the Type II administrative decision;
 - c. Any other person who participated in the proceeding by submitting written comments.
2. Appeal filing procedure.
 - a. Notice of appeal. Any person with standing to appeal, as provided in subsection 1, above, may appeal a Type II Administrative Decision by filing a Notice of Appeal according to the following procedures;
 - b. Time for filing. A Notice of Appeal shall be filed with the Community Development Director or designee within 14 days of the date the Notice of Decision was mailed;
 - c. Content of notice of appeal. The Notice of Appeal shall contain:
 - 1) An identification of the decision being appealed, including the date of the decision;

- 2) A statement demonstrating the person filing the Notice of Appeal has standing to appeal;
- 3) A statement explaining the specific issues being raised on appeal;
- 4) If the appellant is not the applicant, a statement demonstrating that the appeal issues were raised during the comment period;
- 5) Filing fee.

3. Scope of appeal. The appeal of a Type II Administrative Decision by a person with standing shall be a hearing de novo (“a new”) before the Planning Commission. The appeal shall be limited to the application materials, evidence, other documentation, and specific issues raised in the Type II administrative review.

4. Appeal procedures. Type III notice, hearing procedures and decision process shall also be used for all Type II Administrative Appeals, as provided in Sections 14.41.400.C-E.

5. Further Appeal to City Council. The decision of the Planning Commission regarding an appeal of a Type II Administrative Decision is the final decision of the City unless appealed to City Council. An appeal to City Council shall follow the same notification and hearing procedures as for the Planning Commission hearing. However, the appeal before the City Council is based on the record. The decision of the City Council on an appeal is final and effective on the date it is mailed by the City. The City Council’s decision may be appealed to the State Land Use Board of Appeals pursuant to ORS 197.805 – 197.860.

Section 6. Adopted. Chapter 14.26 - Section 14.36.100, Adjustments, is hereby adopted, as follows:

14.36.100 Purpose

A. The purpose of this chapter is to allow housing adjustments in accordance with ORS 197A.

14.36.110 Definitions

A. For purposes of this section, the following word shall be defined as follows:

1. “Adjustment” means a deviation from an existing land use regulation. “Adjustment” does not include:

a. A request to allow a use of property not otherwise permissible under applicable zoning requirements;

b. Deviations from land use regulations or requirements related to accessibility, affordability, fire ingress or egress, safety, local tree codes, hazardous or contaminated site clean-up, wildlife protection, or statewide land use planning goals relating to natural resources, natural hazards, or the Willamette River Greenway;

c. A complete waiver of land use regulations or any changes beyond the explicitly requested and allowed adjustments; or

d. Deviations to requirements related to the implementation of fire or building codes, federal or state air, water quality or surface, ground or stormwater requirements, or requirements of any federal, state or local law other than a land use regulation.

2. “Distinct Adjustment” means an adjustment to one of the development standards listed in Section 14.36.140 where each discrete adjustment to a listed development standard that includes multiple component standards must be counted as an individual adjustment.

14.36.120 Qualifications for an Adjustment

A. An application qualifies for an adjustment under this section only if the following conditions are met:

1. The application is for a building permit or a quasi-judicial, limited or ministerial land use decision;
2. The development is on lands zoned to allow for residential uses, including mixed-use residential;
3. The residential development is for densities not less than six units per net residential acre;
4. The development is of net new housing units in new construction projects, including:
 - a. Single-family or multifamily;
 - b. Mixed-use residential where at least 75 percent of the developed floor area will be used for residential uses;
 - c. Manufactured dwelling parks;
 - d. Accessory dwelling units; or
 - e. Middle housing as defined in ORS 197A.420;
5. The application requests not more than 10 distinct adjustments to development standards as provided in this section.

14.36.130 Application Submission Requirements

A. Adjustment applications shall be processed using a Type II procedure. All of the following information is required for an adjustment application submittal:

1. An application for an adjustment shall contain all of the information required for a Type II review under Section 14.41.300.
2. A narrative explaining how each requested housing adjustment is justified by at least one of the following criteria:
 - a. The adjustment will enable development of housing that is not otherwise feasible due to cost or delay resulting from the unadjusted land use regulations;
 - b. The adjustment will enable development of housing that reduces the sale or rental prices per residential unit;
 - c. The adjustment will increase the number of housing units within the application;
 - d. All of the units in the application are subject to an affordable housing covenant as described in ORS 456.270 to 456.295, making them affordable to moderate income households as defined in ORS 456.270 for a minimum of 30 years;
 - e. At least 20 percent of the units in the application are subject to an affordable housing covenant as described in ORS 456.270 to 456.295, making them affordable to low- income households as defined in ORS 456.270 for a minimum of 60 years;
 - f. The adjustments will enable the provision of accessibility or visitability features in housing units that are not otherwise feasible due to cost or delay resulting from the unadjusted land use regulations; or
 - g. All of the units in the application are subject to a zero equity, limited equity, or shared equity ownership model including resident-owned cooperatives and community land trusts making them affordable to moderate income households as described in ORS 456.270 to 456.295 for a period of 90 years.

14.36.140 Adjustment Types

A. The following are permitted adjustments to development standards:

- a. Side or rear setbacks, for an adjustment of not more than 10 percent.
- b. For an individual development project, the common area, open space or area that must be landscaped on the same lot or parcel as the proposed housing, for a reduction of not more than 25 percent.

- c. Parking minimums, up to 100 percent.
- d. Minimum lot sizes, not more than a 10 percent adjustment, and including not more than a 10 percent adjustment to lot widths or depths.
- e. Maximum building lot coverage requirements for up to a 10 percent adjustment.
- f. For manufactured dwelling parks, middle housing as defined in ORS 197A.420, multi-family housing and mixed-use residential housing:
 - a. Requirements for bicycle parking that establish:
 - i. The minimum number of spaces for use by the residents of the project, provided the application includes at least one-half space per residential unit; or
 - ii. The location of the spaces, provided that lockable, covered bicycle parking spaces are within or adjacent to the residential development;
 - b. For uses other than cottage clusters, as defined in ORS 197A.420 (1)(c)(D), building height maximums that:
 - i. Are in addition to existing applicable height bonuses, if any; and
 - ii. Are not more than an increase of the greater of:
 - 1. One story; or
 - 2. A 20 percent increase to base zone height with rounding consistent with methodology outlined in city code, if any; and
 - c. Prohibitions, for the ground floor of a mixed-use building, against:
 - i. Residential uses except for one face of the building that faces the street and is within 20 feet of the street; and
 - ii. Nonresidential active uses that support the residential uses of the building, including lobbies, day care, passenger loading, community rooms, exercise facilities, offices, activity spaces or live-work spaces, except for active uses in specifically and clearly defined mixed use areas or commercial corridors designated by local governments.

B. Unless otherwise specified, the following design standard adjustments allow for up to a full adjustment:

- a. Facade articulation found in Section 14.22.190.C.2.
- b. Facade detailed designs found in 14.22.190.C.4.
- c. Roof forms and materials.
- d. Entry and garage door materials.
- e. Garage door orientation, unless the building is adjacent to or across from a school or public park.
- f. Window materials, except for bird-safe glazing requirements.
- g. Total window area, for up to a 30 percent adjustment, provided the application includes at least 12 percent of the total facade as window area.
- h. For manufactured dwelling parks, middle housing as defined in ORS 197A.420, multi-family housing and mixed-use residential:
 - a. Building orientation requirements, not including transit street orientation requirements.
 - b. Building height transition requirements, not more than a 50 percent adjustment from the base zone.
 - c. Requirements for balconies and porches.
 - d. Requirements for recesses and offsets.

14.36.150 Additional Standards

A. A decision on an application for an adjustment made under this section is a limited land use decision. Only the applicant may appeal the decision. No notice of the decision is required if the application is denied, other than notice to the applicant.

B. An application for each requested housing adjustment is required in addition to any other land use application required for the proposed project. The applicant may choose to consolidate one or more housing adjustment applications, including any land use action required for the project, pursuant to Section 14.41.600.D.2.

Section 5. All unamended provisions, sections and tables of Title 14 shall remain in full force and effect.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS _____
DAY OF _____, 2025.

Candace Solesbee, Mayor

Dated: _____

ATTEST:

Mike Sauerwein, City Manager

Dated: _____

EXHIBIT A: FINDINGS
ORDINANCE NO. _____

1. The City of Cottage Grove has made an application to amend Title 14 Development Code of the Cottage Grove Municipal Code. The proposed amendment is to bring the Development Code into compliance with SB 1537 which was adopted during the Oregon Legislative Assembly - 2024 Regular Session, and went into effect January 1, 2025.
2. The Development Code implements the policies and Land Use Diagram of the Comprehensive Plan for the City of Cottage Grove.
3. The Department of Land Conservation and Development was given thirty-five day notice prior to the first hearing on February 12, 2025 pursuant to Oregon Revised Statutes.
4. A public comment period of more than 20 days but less than 40 days before the first hearing was provided.
5. The Planning Commission held a public hearing on the proposed amendment on March 19, 2025, and forwarded a favorable recommendation to City Council.
6. The City council held a public hearing on the proposed amendment on April 28, 2025. The Council adopted Ordinance No. ____ amending Title 14 Development Code, adding Chapter 14.26, Section 14.36.100 on April 28, 2025.
7. The following Statewide Planning Goals are not applicable to the proposed rezoning: Goal 3 – Agricultural Lands; Goal 4 – Forest Lands; Goal 5 – Open Spaces, Scenic & Historic Areas and Natural Resources; Goal 6 – Air, Water & Land Resources Quality; Goal 7 – Areas Subject to Natural Disasters and Hazards; Goal 8 – Recreational Needs; Goal 9 – Economic Development; Goal 11 – Public Facilities and Services; Goal 12 – Transportation; Goal 13 – Energy Conservation; Goal 14 – Urbanization; Goal 15 – Willamette River Greenway; Goal 16 – Estuarine Resources; Goal 17 – Coastal Shorelands; Goal 18 – Beaches & Dunes; and Goal 19 – Ocean Resources.
8. The following Statewide Planning Goals are applicable and the amendment complies with them as noted below:
 - a. Goal 1 – Citizen Involvement. This request is consistent with Goal 1. Adequate public notice of the proposed changes has been provided through the Type IV public notice process as specified in Section 14.41.500 of the Development Code. The Department of Land Conservation and Development was notified of the intended modification and did not express any concerns in writing about the changes. Public hearings have been held at the Planning Commission and City Council levels. The City process involves various forms of notification of the public in the immediate area, notification in local media, and notification of impacted governmental agencies and recognized neighborhood groups.
 - b. Goal 2 – Land Use Planning. The City has established a land use planning process and policy framework as a basis for all decisions and actions related to use of land and to assure an adequate factual base for such decisions and actions. The proposed change followed the process established in Title 14 of the City of Cottage Grove Municipal Code and has been found compatible with the City’s Comprehensive Plan.
 - c. Goal 10 – Housing. This proposed amendment is consistent with Goal 10, as it implements the requirements of Oregon Senate Bill 1537, which requires cities to

allow adjustments to housing developments that may not have been feasible due to cost or delay resulting from the unadjusted land use regulations and requirements.

9. City Council finds that this request is consistent with the Comprehensive Plan, as modifications to the Comprehensive Plan and its adopted implementing documents are expected over time. This code amendment supports required code changes due to the enacted SB 1537.
10. The proposed change is in the public's interest; is in keeping with the development pattern in this area of the city; is in keeping with the intent of the City Comprehensive Plan; and serves the public's health, safety and welfare.